

DRAFT MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Monday, December 21, 2009 Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, B. Pociask, B. Ryan
Members absent: P. Plante
Alternates present: G. Lewis, Kenneth Rawn,
Alternates absent: Vera Stearns
Staff Present: Gregory Padick (Director of Planning), Curt Hirsch (Zoning Agent)

Chairman Favretti called the meeting to order at 7:56 p.m. Alternate Rawn was appointed to act to fill a vacancy, and alternate Lewis was appointed to act in Plante's absence.

Minutes:

12/7/09-Hall MOVED, Ryan seconded, to approve the 12/7/09 minutes as written. MOTION PASSED UNANIMOUSLY.

12/16/09 Field Trip- Holt MOVED, Ryan seconded, to approve the 12/16/09 Field Trip minutes as written. MOTION PASSED with Beal, Ryan, Holt and Favretti in favor and all others disqualified.

Zoning Agent's Report:

Hirsch noted that 2 additional \$150.00 Zoning Citations have been issued to Ed Hall since the last meeting. Hirsch stated that the remaining trailer is hooked up to a truck in the driveway but has not been removed.

Old Business

1. Site Modification Request, Sidewalk and Parking Improvements, Hillel Property, 54 N. Eagleville Rd, File #1289

Pociask disqualified himself. Hall MOVED, Holt seconded, that the PZC Chairman and Zoning Agent be authorized to approve the modification request of B'nai B'rith Hillel Foundation of CT for site improvements at 54 N. Eagleville Road, as depicted on a 10/16/09 site plan (revised to 11/13/09) as prepared by Datum Engineering and Surveying, LLC, and as described in other application submissions, subject to the following conditions:

1. All work, including the sidewalk extension and parking area expansion, shall be approved by the University of Connecticut. This modification approval shall not become effective until UConn acceptance of this work has been provided in writing.
2. All Inland Wetlands Agency approval requirements shall be met.
3. This approval is limited to the work shown on the above referenced plans. Other work, including any grading of the hillside north of the Hillel building will necessitate additional PZC review and approval.
4. This action waives sideline setback provisions for the expanded parking area pursuant to the provisions of Article X, Section A.4.d. This waiver is based on existing site and neighborhood characteristics.

MOTION PASSED with all in favor except Pociask who disqualified himself.

2. 11/30/09 Letter from M. Margulies for the American Civil Liberties Union of CT

Padick updated the Commission that the Town Attorney has verbally related that there may be

some merit to the claim by the ACLU, but he would like to review it more thoroughly and expects to have a recommendation for the next meeting.

3. **Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Rd and Mansfield Ave.**
Item tabled awaiting response from the primary property owners.

New Business:

1. **New Special Permit Application, Proposed Fitness Center at the Eastbrook Mall, 95 Storrs Rd, Cardio Express, LLC., applicant, File # 1290**

Holt MOVED, Ryan seconded, to receive the Special Permit application, File #1290, submitted by Cardio Express, LLC, for a fitness club within the East Brook Mall, on property located at 95 Storrs Road, owned by East Brook F, LLC, as show on plans dated 12/11/09 and as described in other application submissions, and to refer said application to the staff for review and comments, and to set a Public Hearing for January 19, 2010. MOTION PASSED UNANIMOUSLY.

2. **Consideration of Bond Release, Paideia Educational Center, Dog Lane, File #1049**

Holt MOVED, Ryan seconded, that the Planning and Zoning Commission authorizes the Director of Planning to take appropriate actions to release the \$5,000 bond and accumulated interest that was posted in 1992 for the Educational Center and Chapel elements of the Paideia project on Dog Lane. A separate \$15,000 bond shall remain in place for the amphitheater and exhibit area portions of the project. MOTION PASSED UNANIMOUSLY.

3. **By-Laws**

Noting a redundant section in the PZC By-Laws, Holt MOVED, Rawn seconded, to delete in Article XI, the second Section 4. MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

None

Communications and Bills:

Padick called particular attention to items 3, 4 & 5. He also noted that the appointment of alternate Rawn to WINCOG needs approval by the Town Council. Holt MOVED, Beal seconded, that the Mansfield Planning and Zoning Commission designate alternate Kenneth Rawn to the WINCOG Regional Planning Commission as the alternate representative subject to Town Council's approval. MOTION PASSED UNANIMOUSLY.

Adjournment:

Chairman Favretti declared the meeting adjourned at 8:14 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary